



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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December 2, 2005

BARBARA SPERLINE
PO BOX 551
KITITITAS WA 98934

Subject: Final Order - PDC Case No. 06-223

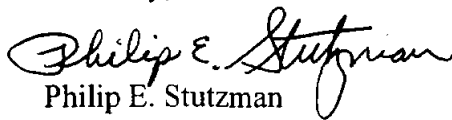
Dear Ms. Sperline:

Enclosed is the Public Disclosure Commission's Final Order Imposing Fine that was entered in the above-referenced case. The Commission found that you committed a single violation of RCW 42.17.240, and assessed a penalty of \$400 with \$300 suspended on the condition you: 1) commit no further violations of RCW 42.17.240 for four years from the date of the enclosed order; 2) maintain regular payments to retire the \$690.57 judgment entered July 15, 2005 in Thurston County Superior Court; and 3) maintain regular payments of the \$100 non-suspended portion of the current penalty.

You have confirmed by e-mail that you will make payments of \$25 by the 21st of each month beginning with December 2005 until all penalty amounts owed are paid. This is to fulfill the terms of the order in Case #06-223.

Your rights for a reconsideration of the final order are set forth in the order. If you have questions, please contact me at (360) 664-8853 or toll free at 1-877-601-2828 or by e-mail at pstutzman@pdc.wa.gov.

Sincerely,


Philip E. Stutzman
Director of Compliance

Enclosure



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3
4 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
5 **OF THE STATE OF WASHINGTON**
6

7 IN RE COMPLIANCE)
8 WITH RCW 42.17)

PDC CASE NO.: 06-223

9 BARBARA SPERLINE)

FINAL ORDER IMPOSING FINE

10 Respondent.)
11 _____)

12 **INTRODUCTION**

13 The Washington State Public Disclosure Commission (Commission) conducted an
14 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on
15 November 30, 2005 with respect to the above-captioned matter. The Commission held the
16 hearing at Evergreen Plaza Building, Room 206, 711 Capitol Way South, in Olympia,
17 Washington. The Commission held the hearing to determine whether the Respondent
18 violated RCW 42.17.240 by failing to file a Statement of Financial Affairs within two
19 weeks of becoming a candidate, or by August 12, 2005. The Staff appeared through Philip
20 E. Stutzman, Director of Compliance. The Respondent participated in the hearing by
21 telephone.
22

23 During the hearing, the Staff presented, for the Commission's consideration, the
24 Notice of Administrative Charges issued November 17, 2005, which alleged a violation of
25 RCW 42.17.240, and its exhibits, which included: 1) Jurisdiction Card and Declaration of
26

1 Candidacy; and 2) September 21, 2005 Warning Letter. Staff also presented a letter
2 addressed to the Commission from Ms. Sperline.

3 The Commission considered the Notice of Administrative Charges and its
4 incorporated exhibits and the letter written by Ms. Sperline. The Notice of Administrative
5 Charges and exhibits, and the letter from Ms. Sperline, are incorporated by reference into
6 this Order. The Commission heard oral argument by Staff and Ms. Sperline.
7

8 Based on this record, the Commission finds that:
9

- 10 1. RCW 42.17.240 requires candidates, within two weeks of becoming a candidate, to file
11 with the commission a Statement of Financial Affairs for the preceding twelve months.
- 12 2. The Respondent is a School Board Member in Kittitas School District 403 who was a
13 candidate for election on November 8, 2005, who became a candidate on July 29, 2005,
14 and was required to file a Statement of Financial Affairs by August 12, 2005.
- 15 3. The Respondent was reminded by letter on September 21, 2005 to file the missing F-1
16 report. The Respondent was sent a Notice of Administrative Charges on November 17,
17 2005 and was notified that she was scheduled for an enforcement hearing before the full
18 Commission on November 30, 3005.
- 19 4. The F-1 report was received October 6, 2005.
20

21 ORDER

22 Based on the record submitted in this matter, the Commission orders as follows:

- 23 1. That the Respondent committed a single violation of RCW 42.17.240;
- 24 2. That a total civil penalty of \$400 is assessed against the Respondent;
- 25

1 3. That \$300 of the penalty is suspended on the condition that the Respondent: 1) commits
2 no further violations of RCW 42.17.240 for four years from the date of the order; 2)
3 maintains regular payments to retire the \$690.57 judgment entered July 15, 2005 in
4 Thurston County Superior Court; and 3) maintains regular payments of the \$100 non-
5 suspended portion of the current penalty.
6

7 8 **RECONSIDERATION OF FINAL ORDER - COMMISSION**

9 Any party may ask the Commission to reconsider this final order. Parties must
10 place their requests for reconsideration in writing, include the specific grounds or reasons
11 for the request, and deliver the request to the Public Disclosure Commission Office within
12 **Twenty-One (21) business days** of the date that the Commission serves this order upon the
13 party. Grounds for reconsideration shall be limited to:
14

15 a) New facts or legal authorities that could not have been brought to the commission's
16 attention with reasonable diligence. If errors of fact are alleged, the requester must
17 identify the specific evidence in the prior proceeding on which the requester is
18 relying. If errors of law are alleged, the requester must identify the specific citation;
19 or
20

21 b) Significant typographical or ministerial errors in the order. Pursuant to RCW
22 34.05.470, the Public Disclosure Commission is deemed to have denied the petition
23 for reconsideration if, within twenty (20) business days from the date the petition is
24 filed, the Commission does not either dispose of the petition or serve the parties
25 with written notice specifying the date by which it will act on the petition. Pursuant
26 to RCW 34.05.470, the Respondent is not required to ask the Public Disclosure

1 Commission to reconsider the final order before seeking judicial review by a
2 superior court.

3
4 **FURTHER APPEAL RIGHTS – SUPERIOR COURT**

5 Pursuant to RCW 42.17.395(5), a **final order** issued by the Public Disclosure
6 Commission is subject to judicial review under the Administrative Procedures Act, chapter
7 34.05 RCW. The procedures are provided in RCW 34.05.510 - .598. Pursuant to RCW
8 34.05.542(2), a petition for judicial review must be filed with the superior court in Thurston
9 County or the petitioner's county of residence or principal place of business. The petition
10 for judicial review must be served on the Public Disclosure Commission and any other
11 parties within **30 days** of the date that the Public Disclosure Commission serves this final
12 order on the parties.
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15 If reconsideration is properly sought, the petition for judicial review must be served
16 on the Public Disclosure Commission and any other parties within thirty (30) days after the
17 Commission acts on the petition for reconsideration.
18

19 **ENFORCEMENT OF FINAL ORDERS**

20 The Commission will seek to enforce this final order in superior court under RCW
21 42.17.395-.397, and recover legal costs and attorney's fees, if the penalty remains unpaid
22 and no petition for judicial review has been filed under chapter 34.05 RCW. This action
23 will be taken without further order by the Commission.
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1 DATED THIS 2nd day of December, 2005.

2
3 FOR THE COMMISSION:

4 Vicki Rippie

5 VICKI RIPPIE, Executive Director

6
7 MAILING DATE OF THIS ORDER:

8
9 December 2, 2005